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Attorney for the Department of Insurance

OFFICE OF THE MONTANA STATE AUDITOR, COMMISSIONER OF
SECURITIES AND INSURANCE

IN THE MATTER OF: LAVERNE FRED BASS Insurance Producer License #740627 Respondent.	Case No.: INS-2016-112 CONSENT AGREEMENT AND FINAL ORDER
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This Consent Agreement (Agreement) and Final Order (Order) are entered into by the Insurance Department (Department) of the Office of the Montana State Auditor, Commissioner of Securities and Insurance, acting pursuant to the authority of the Montana Insurance Code, Mont. Code Ann. § 33-1-101 et seq. (Code), and Laverne Fred Bass (Respondent).

RECITALS

WHEREAS, on August 30, 2016, the Department filed a Notice of Proposed Agency Action and Opportunity for Hearing (Notice) in the above-captioned matter;

WHEREAS, the Notice alleged violations of the Code, to include §§ 33-1-1202(3), 33-18-208(2), (4), 33-17-1001(1)(f);

WHEREAS, the Respondent neither admits or denies the allegations contained in the Notice; and

WHEREAS, the parties acknowledge that this Agreement is in the public's interest;

NOW, THEREFORE, in consideration of the mutual undertakings contained in this Agreement, the Department and the Respondent hereby agree to settle this matter pursuant to the following terms and conditions:

STIPULATIONS AND CONSENTS

1. Respondent stipulates and agrees to pay an administrative penalty to the State of Montana in the amount of One Thousand Seven Hundred and Fifty Dollars (1,750) within fifteen business days from the execution of this Agreement.

2. The administrative penalty must be made payable to the State Auditor's Office and sent to the Office of the Montana State Auditor, c/o Lisa Monroe, 840 Helena Avenue, Helena, MT 59601.

3. With respect to the Recitals, Respondent specifically and affirmatively waives a contested case hearing and his right to appeal under the Montana Administrative Procedure Act (MAPA), including Title 2, chapter 4, part 7, and elects to resolve this matter on the terms and conditions set forth herein.

4. Respondent fully and forever releases and discharges the Department from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or not asserted, known or unknown, foreseen or unforeseen, arising out of or related to the Recitals or this Agreement.

5. Both parties to this Agreement stipulate and agree the Department has jurisdiction over the subject matter of this Agreement, and that this Agreement resolves the alleged violations set forth in the Recitals.

6. The Department warrants and represents that so long as Respondent complies with the terms of this Agreement, the Department will not bring any further action against Respondent arising from facts known to the Department as of the date of the Agreement relating to the Recitals.

7. This Agreement is entered without adjudication of any issue, law, or fact. It is entered solely for the purpose of resolving the CSI's investigation and allegations, and is not intended to be used for any other purpose.

8. This Agreement constitutes the entire agreement between the parties and no other promises or agreements, either express or implied, have been made by the CSI or by any member, officer, agent, or representative of the CSI to induce Respondent to enter into this Agreement.

9. This Agreement may not be modified orally, and any subsequent modifications to this Agreement must be mutually agreed upon in writing with the same formality as this agreement to be effective.

10. This Agreement shall be incorporated into and made part of the attached Final Order issued by the Montana State Auditor, Commissioner of Securities and Insurance (Commissioner), herein.

11. The Order will be an order of the Commissioner and is effective upon signing. The Department has jurisdiction over the enforcement of the Order, and failure to comply with it may constitute separate violations of the Act, as provided in Mont. Code Ann. § 33-1-318, and may result in subsequent legal action by the Department.

12. This Agreement shall be effective upon signing of the Order.

13. This Agreement and Order are public records under Montana law and as such may not be sealed or otherwise withheld from the public.

DATED this 15 day of September, 2017.

OFFICE OF THE MONTANA STATE
AUDITOR, COMMISSIONER OF
SECURITIES AND INSURANCE

By: 
MIKE WINSOR
Attorney for the Department of Insurance

DATED this 13~~th~~ day of September, 2017.


LAVERNE FRED BASS
Respondent

FINAL ORDER

Pursuant to the authority vested by Mont. Code Ann. § 2-4-603 and § 33-1-101 et seq., and upon review of the foregoing Consent Agreement and good cause appearing,

IT IS HEREBY ORDERED that the foregoing Consent Agreement between the Insurance Department of the Office of the Montana State Auditor, Commissioner of

Securities and Insurance and Respondent, Laverne Fred Bass, is adopted as set forth fully herein.

DATED this 18 day of September, 2017.

MATTHEW M. ROSENDALE, SR.
Montana State Auditor
Commissioner of Securities and Insurance

By: Nancy Butler
NANCY BUTLER
Deputy State Auditor

cc: Mike Winsor
Respondent